

ESTTA Tracking number: **ESTTA299717**

Filing date: **08/07/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92049718
Party	Defendant YNK KOREA CO. LTD.
Correspondence Address	Jan P. Weir Stradling Yocca Carlson & Rauth 660 Newport Center Dr., Suite 1600 Newport Beach, CA 92660 UNITED STATES dhahn@sycr.com
Submission	Other Motions/Papers
Filer's Name	Douglas Q. Hahn, Esq.
Filer's e-mail	dhahn@sycr.com
Signature	/Douglas Q. Hahn/
Date	08/07/2009
Attachments	YNK Amended Motion to Amend Registrations.pdf ( 11 pages )(5281016 bytes )

Jan P. Weir, Esq.  
Douglas Q. Hahn, Esq.  
STRADLING YOCCA CARLSON & RAUTH  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
Telephone: (949) 725-4000  
Facsimile: (949) 725-4100

Attorneys for YNK KOREA CO. LTD.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Saul Zaentz Company d.b.a. Tolkien  
Enterprises,

Petitioner,

v.

YNK Korea Co. Ltd.,

Registrant.

) Cancellation No.: 92049718  
)  
) Marks: ROHAN  
) ROHAN & design  
)  
) Registration Nos. 3,328,132  
) 3,328,133  
)  
) Filed: February 8, 2006  
)  
) Registered (Supplemental Register):  
) October 30, 2007  
  
Interlocutory Attorney: Cheryl A. Butler

**CERTIFICATE OF DEPOSIT**

I hereby certify that this correspondence is being deposited electronically with the  
Trademark Trial and Appeal Board on the date shown below.

Dated: August 7, 2009

Arnold V. Mina  
Arnold Mina

**REGISTRANT'S AMENDED MOTION TO AMEND**  
**REGISTRATIONS**

Whereas, YNK Korea Co., Ltd, Registrant herein, through its attorneys of record, filed a Motion to Amend Registration Nos. 3,328,13 and 3,328,133 on July 31, 2009;

Whereas, a dispute has arisen between the parties as to whether the motion to amend with regard to Registration Serial No. 3,328,133 complies with the terms of the settlement agreement entered into by Registrant and Petitioner;

Whereas, in order to resolve this dispute, Registrant desires to add a period after the last character, N, in Registration Serial No. 3,328,133;

Therefore, pursuant to 37 C.F.R. §2.133, Registrant, through its attorneys, respectfully requests that Registration Serial No. 3,328,132, for the mark ROHAN and Registration Serial No. 3,328,133, for the mark ROHAN & Design be amended to include a period after each character, as follows:

1. Registration Serial No. 3,328,132 (ROHAN wordmark), amended to **R.O.H.A.N.** (word mark), and
2. Registration Serial No. 3,328,133 (ROHAN & design), amended to **R.O.H.A.N.** & design.

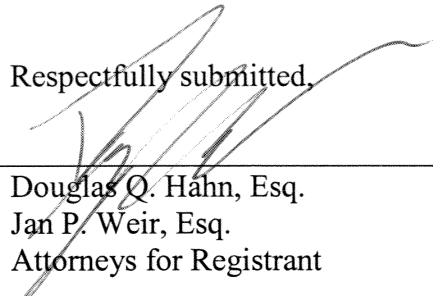
Registrant submits that these alterations are not material as required by TMEP §1609.02(a). Here, the addition of periods between the individual letters of the word and design marks do not materially alter the marks because the marks still contain the exact same letters in the exact same sequence. Thus, the marks as amended contain the essence of the original marks and create essentially the same impression as the original mark. *See In re Umax Data Systems, Inc.*, 40 U.S.P.Q.2d 1539 (Comm'r Pats. 1996).

Registrant has requested and has received the consent to these requests for amendments of Registration from Petitioner's counsel. Registrant requests these amendments of registration pursuant to a settlement agreement entered into by Registrant and Petitioner. Accordingly, Registrant and Petitioner request these amendments of registration in accordance with their agreement to resolve this matter amicably and without unnecessary expenditure of the Board's resources.

A copy of this amended motion is being sent to Petitioner's counsel.

Dated: August 7, 2009

Respectfully submitted,

  
\_\_\_\_\_  
Douglas Q. Hahn, Esq.  
Jan P. Weir, Esq.  
Attorneys for Registrant

STRADLING YOCCA CARLSON & RAUTH  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Amended Motion to Amend Registrations was served upon Petitioner's attorneys of record by depositing a copy thereof in the United States Mail on August 7, 2009, first-class mail, postage prepaid, in an envelope addressed as follows:

Carole F. Barrett, Esq.  
Thomas Magnani, Esq.  
Howard, Rice, Nemerovski, Canady, Falk & Rabkin  
Three Embarcadero Center, 7th Floor  
San Francisco, CA 94111

  
\_\_\_\_\_  
Rita Patel

Date: 8-7-09

**EXHIBIT A**

Amended Drawing for Registration Serial No. 3,328,132 (ROHAN wordmark)

R.O.H.A.N.

**EXHIBIT B**

Amended Drawing for Registration Serial No. 3,328,133 (ROHAN & design)

ROTHEN



**EXHIBIT C**  
SUPPORTING SPECIMENS AND DECLARATION

Attachment A

**Declaration**

I, Jun Lee, do hereby declare that I am authorized to execute this document on behalf of the YNK Korea Co., Ltd.

This Declaration is filed in support of Applicant's Amended Motion to Amend Registration Serial No. 3,328,132 and Registration Serial No. 3,328,133. True and correct samples of specimens for the Amended 3,328,132 and 3,328,133 Registrations are annexed hereto as Attachments 1 and 2, respectively. I declare that the applicant has used the amended word mark shown in Attachment 1 anywhere as early as November 1, 2006 and in interstate commerce within the United States as early as July 28, 2009, and that the mark has been used in commerce on or in connection with the goods or services as of the filing date of Applicant's Amended Motion to Amend Registrations. I further declare that the applicant has used the amended design mark shown in Attachment 2 anywhere as early as August 6, 2009 and in interstate commerce within the United States as early as August 6, 2009, and that the mark has been used in commerce on or in connection with the goods or services as of the filing date of Applicant's Amended Motion to Amend Registrations.

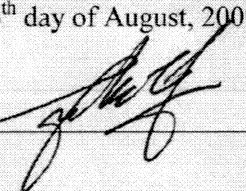
The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

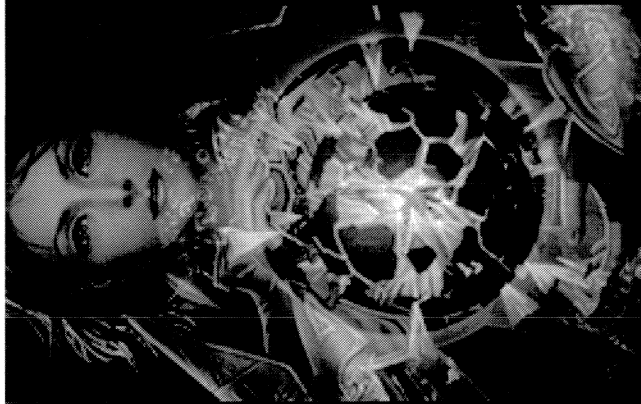
Signed this 6<sup>th</sup> day of August, 2009

Signature: \_\_\_\_\_

Name: Jun Lee

Title: CEO





## August Calendar

7/30/09

The August Calendar of events is ready for download. Congratz to Alladynus, who made the prize-winning design for the August calendar. Download the official Calendar today from our download page!

[MORE](#)

## TSB 1 Year Anniversary!

7/30/09

Next week is our Township Battles' 1 Year Anniversary! To celebrate, we are awarding the winners of the Minor Township Battles all of next week from Aug. 3rd until Aug. 7th.

[MORE](#)

Got a Gamer Code?  
[Redeem it Here!](#)

## TELL A FRIEND

Invite a friend to play **ROHAN**:  
[click here to send an email!](#)

## SERVER TIME

11:19:20 AM (Thurs)

[HOME](#) [GAME INFO](#) [GAME GUIDE](#) [TRADING CENTER](#)

[DOWNLOADS](#)

[COMMUNITY](#)

[MY ACCOUNT](#)

**ynk**  
INTERACTIVE

**ynk**  
GAMES

R.O.H.A.N.: Blood Feud Renaissance of Human and Nature  
©2009 YNK Interactive, Inc. All Rights Reserved.

R.O.H.A.N.: Blood Feud has no affiliation with The Saul Zaentz Company.



Mild Blood  
Partial Nudity  
Strong Language  
Suggestive Themes  
Violence

[Terms of Service](#) | [Privacy Policy](#)

[Return of hero](#)



[A TOP](#)

ATTACHMENT 1

BLOOD FEUD

# ROLLAN

Buy RPs

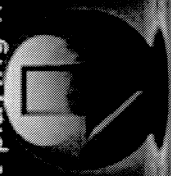


PLAYSPAN



100% Crafted

PLAY FOR FREE!  
Download and  
start playing now!



ITEM MALL

New Item Packs!



Click for details

1 2 3 4 5 6 7

HOME GAME INFO GAME GUIDE TRADING CENTER DOWNLOADS COMMUNITY MY ACCOUNT

Create Powerful Items  
with the

NEW  
CRAFTING  
SYSTEM

News & Updates

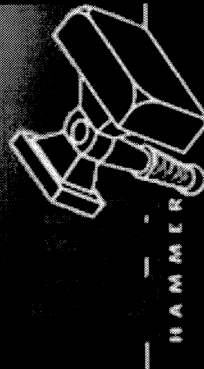
R.O.H.A.N.: Blood Feud Voted Best MMORPG PVP

8/4/09

Gaming website  
"Top 10 Free M  
the love, guys!

ATTACHMENT 2

us #1 on their  
list! Thanks for



TOP 10 F2P GAMES